

**29744. Canned cherries.** (F.D.C. No. 50288. S. Nos. 31-436/9 A.)

**QUANTITY:** 47 cases of 24 1-lb. 3-oz. cans each, and 10 cases of 24 1-lb. cans each of red tart cherries, and 6 cases of 24 1-lb. cans and 6 cases of 24 1-lb. 5-oz. cans each, of montmorency cherries, at Vincennes, Ind.

**SHIPPED:** 8-9-61, from Hartford, Mich., and Benton Harbor, Mich.

**RESULTS OF INVESTIGATION:** Examination showed that the article was undergoing chemical decomposition.

**LIBELED:** 6-11-64, S. Dist. Ind.

**CHARGE:** 402(a) (3)—contained a decomposed substance while held for sale.

**DISPOSITION:** 7-28-64. Default—destruction.

**DRIED FRUIT****29745. Currants.** (F.D.C. No. 49660. S. No. 97-086 X.)

**QUANTITY:** 38 25-lb. boxes, at Providence, R.I.

**SHIPPED:** 12-4-62, from Fresno, Calif.

**LIBELED:** On or about 12-31-63, Dist. R.I.

**CHARGE:** 402(a) (3)—contained insects while held for sale.

**DISPOSITION:** 1-24-64. Default—destruction.

**29746. Pitted dates.** (F.D.C. No. 50085. S. No. 96-652 A.)

**QUANTITY:** 99 70-lb. cases and 103 35-lb. cases at San Francisco, Calif., in possession of Oceanic Forwarding Co.

**SHIPPED:** 11-11-63, from Basra, Iraq.

**LIBELED:** 5-8-64, N. Dist. Calif.

**CHARGE:** 402(a) (3)—contained bird excreta; and 402(a) (4)—held under insanitary conditions.

**DISPOSITION:** 5-27-64. Consent—claimed by Jensen-McLean Co., Inc., of Seattle, Wash. Segregated; 2,095 lbs. converted into animal feed.

**29747. Dates, date products, smoked sausage, and fried pork skins.** (F.D.C. No. 50101. S. Nos. 61-895/900 A, 62-231 A, 62-233 A, 62-235 A, 62-237/8 A.)

**QUANTITY:** 79 reused, unlabeled, 15-lb. cases of date nut rolls; 500 lbs. of bulk dates in wooden boxes and plastic bags; 7 wooden lugs, each containing 20 1-lb. bags of date sugar; 6 wooden lugs, each containing 6 3-lb. bags of date sugar; 3 wooden lugs, each containing 16 1-lb. bags of date flakes; 46 cardboard trays, each containing 12 individually wrapped 1-lb. baskets of date nut rolls; 496 1-lb. bags of dates; 850 lbs. of bulk dates in trays and in open, reused ctns.; 4 ctns., containing approximately 43 display cards, each card containing 24 bags of smoked sausage; 5 ctns., each containing 12 display cards, each card containing 12 bags of fried pork skins, and 45 display cards, each containing 12 bags of chili-flavored fried pork skins, at Mesa, Ariz., in possession of Hi-Jolly of Arizona, Inc.

**SHIPPED:** Between 1-1-61 and 4-23-64 (smoked sausage and fried pork skins), from Oakland, Calif., and (dates) from unknown places in the State of California.

**LABELS IN PART:** (Bags of dates) "Hi-Jolly of Arizona, Inc. Dates \* \* \* Mesa, Arizona."; (tag on bags of date sugar and date flakes) "Hi-Jolly Date Sugar [or "Date Flakes"] Packed by Hi-Jolly Date Gardens \* \* \* Mesa,

Arizona"; and (insert label in baskets of date nut roll) "Hi-Jolly Date Gardens Date Nut Rolls Ingredients \* \* \* Mesa, Arizona."

**RESULTS OF INVESTIGATION:** The dates, date sugar, and date flakes had been repacked by the dealer from bulk lots, and the date nut rolls had been prepared by the dealer from bulk dates, bulk coconut, and other components.

**LIBELED:** 5-5-64, Dist. Ariz.

**CHARGE:** 402(a)(3)—while held for sale, all the articles except the 1-lb. bags of date sugar contained rodent hairs, rodent pellets, or rodent-gnawed products, and 402(a)(4)—all the articles held under insanitary conditions.

**DISPOSITION:** 6-22-64. Default—destruction.

**29748. Dried orange peel.** (F.D.C. No. 50083. S. No. 61-311 A.)

**QUANTITY:** 36 175-lb. bags at Los Angeles, Calif.

**SHIPPED:** 6-8-63, from Murcia, Spain.

**LIBELED:** 5-8-64, S. Dist. Calif.

**CHARGE:** 402(a)(3)—contained insects, insect pupae, larvae, and excreta while held for sale.

**DISPOSITION:** 8-4-64. Default—delivered to a public institution for use as animal feed.

### VEGETABLES AND VEGETABLE PRODUCTS

**29749. Dried kidney beans, rice, unshelled peanuts, and popcorn bunnies.**

(F.D.C. No. 49185. S. Nos. 22-102/3 X, 22-105 X, 22-107/8 X.)

**INFORMATION FILED:** 3-24-64, Dist. Utah, against Associated Food Stores, Inc., Salt Lake City, Utah, and Donald P. Lloyd, executive vice president.

**ALLEGED VIOLATIONS:** Between 11-23-62 and 6-12-63, while quantities of kidney beans, rice, unshelled fancy peanuts, unshelled jumbo peanuts, and popcorn bunnies were being held for sale after shipment in interstate commerce, the defendants caused the articles to be held in a building that was accessible to and infested with rodents, and to be exposed to contamination by rodents, which acts resulted in the articles being adulterated.

**CHARGE:** 402(a)(3)—the rice contained mouse pellets and mouse urine, and the popcorn bunnies contained mouse pellets; and 402(a)(4)—all the articles held under insanitary conditions.

**PLEA:** Guilty by the corporation to all counts and by the individual to the count involving the rice.

**DISPOSITION:** 10-6-64. Corporation—\$500 fine; individual \$100 fine.

**29750. Dried pinto beans and dried Great Northern beans.** (F.D.C. No. 50256. S. Nos. 41-796/7 A.)

**QUANTITY:** 11 100-lb. bags of pinto beans and 16 100-lb. bags of Great Northern beans at Krebs, Okla., in possession of S.D. Giacomo Co.

**SHIPPED:** 9-4-63, from Morrill, Nebr.

**LIBELED:** 7-15-64, E. Dist. Okla.

**CHARGE:** 402(a)(3)—contained rodent urine; and 402(a)(4)—held under insanitary conditions.

**DISPOSITION:** 8-12-64. Default—destruction.